<u>REMARKS</u>

This application has been carefully reviewed in light of the Office Action initially dated September 15, 2009. Claims 1, 5, 6, 11 and 15 remain in the application, with Claims 8 to 10 having been canceled. Claims 1, 5, 11 and 15 are independent. Reconsideration and further examination are respectfully requested.

Claims 1 and 11 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 6,025,837 (Mathews) and Claims 5, 6, 8 to 10 and 15 were rejected under 35 U.S.C. § 103(a) over Mathews. Reconsideration and withdrawal of the rejections are respectfully requested.

Claims 1 and 11 generally relate to displaying digital data. According to the invention, digital data to be displayed is described using a in markup language, and includes first hierarchical level elements delimited by predetermined tags and second hierarchical level elements (e.g., brother elements) which belong to a range delimited by the predetermined tags. When key-input first or second signals are received from a remote controller, a display control highlights both the selected element and all non-selected elements that are selectable in one same hierarchical level as the selected element. Here, the selected element is highlighted in a manner distinguishable from the non-selected elements, which are highlighted in a different manner. As a result, a user is readily able to recognize which other non-selected elements are also selectable with the same hierarchical level.

Referring specifically to the claims, Claim 1 is directed to an information processing apparatus, comprising a first receiving unit constructed to receive digital data described in a markup language and including first hierarchical level elements delimited by

predetermined tags and second hierarchical level elements which belong to a range

delimited by the predetermined tags, a display unit constructed to display the elements

included in the received digital data on a display device, a second receiving unit

constructed to receive, from a remote controller, key-input first or second signals, a display

control unit constructed to highlight a selected element and all non-selected elements that

are selectable in one same hierarchical level as the selected element, wherein the selected

element is highlighted in a manner distinguishable from the non-selected elements that are

highlighted in a different manner, and a switching unit constructed to switch a selection of

an element between the first hierarchical level elements or between the second hierarchical

level elements when the first signal is received by the second receiving unit, and switching

a selection of an element between the first and second hierarchical level elements when the

second signal is received by the second receiving unit.

Claim 11 is a method claim that substantially corresponds to Claim 1.

The applied art of Mathews is not seen to disclose or to suggest the features

of amended independent Claims 1 and 11, and in particular, is not seen to disclose or to

suggest at least the features of a display control unit/step of highlighting a selected element

and all non-selected elements that are selectable in one same hierarchical level as the

selected element, wherein the selected element is highlighted in a manner distinguishable

from the non-selected elements that are highlighted in a different manner.

Mathews is seen to teach an interactive entertainment system that

incorporates an electronic programming guide. A user can drag and drop a hyperlink from

the EPG onto a hyperlink browser UI of the system and when the user activates the

hyperlink in the EPG, the UI launches the browser to activate the target resource of the

hyperlink. However, Mathews is not seen to teach the claimed display control step as set forth above. In this regard, the Office Action failed to address this feature at all. Rather, the Office Action merely alleged that Mathews teaches the first receiving step, the displaying step, the second receiving step and the switching step, but failed to even allege that Mathews teaches the claimed display control step of highlighting a selected element and non-selected element in the same level where they are highlighted in a distinguishable manner. Thus, inasmuch as the Office Action failed to address the fifth element of the claims, it is deemed to have admitted that Mathews fails to teach this feature. Accordingly, the claims are not anticipated by Mathews and reconsideration and withdrawal of the rejections are respectfully requested.

In a related aspect as claimed in Claims 5 and 15, the invention is characterized in that an identifying unit identifies an information amount contained in each of the plurality of elements, wherein the information amount contained in each element is at least one of an area size in which the element is displayed, the number of characters contained in the element, and the number of bytes of data contained in the element. A selection of an element is switched between the plurality of displayed elements in turn according to the information amount contained in each element identified by the identifying unit.

Referring specifically to the claims, Claim 5 is directed to an information processing apparatus, comprising a first receiving unit constructed to receive digital data described in a markup language and including a plurality of elements delimited by predetermined tags, a display unit constructed to display the plurality of elements included in the received digital data on a display device, an identifying unit constructed to identify

an information amount contained in each of the plurality of elements, wherein the information amount contained in each element is at least one of an area size in which the element is displayed, the number of characters contained in the element, and the number of bytes of data contained in the element, a second receiving unit constructed to receive a signal input in turn by an arrow key operation from a remote controller, and a switching unit constructed to, when the signal is received by the second receiving unit, switch a selection of an element between the plurality of displayed elements in turn according to the information amount contained in each element identified by the identifying unit.

Claim 15 is a method claim that substantially corresponds to Claim 5.

Mathews is not seen teach the features of Claims 5 and 15, and in particular, is not seen to teach the features of i) an identifying unit/step of identifying an information amount contained in each of the plurality of elements, wherein the information amount contained in each element is at least one of an area size in which the element is displayed, the number of characters contained in the element, and the number of bytes of data contained in the element, and ii) switching unit/step of, when a signal is received from a remote controller, switching a selection of an element between the plurality of displayed elements in turn according to the information amount contained in each element identified by the identifying unit/step.

As discussed above, Mathews teaches an EPG integrated with an interactive system. While a user may be able to select a program in the EPG and change a selection of the program, Mathews is not seen to teach that the selection of an element is switched in turn according to the information amount contained in each element (i.e., area size in

which the element is displayed, number of characters, or number of bytes of data in the element). Accordingly, Claims 5 and 15 are believed to be allowable.

No other matters having been raised, the entire application is believe to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

As a formal matter, Applicant again requests that the Examiner return an initialed Form PTO-1449 for the November 7, 2005 Information Disclosure Statement. Applicant also requests that the Examiner consider the Supplemental IDS filed on October 9, 2007 by including an indication in the next communication that the translation for the Japanese document cited in the September 27, 2007 IDS has been received. In this regard, the Office Action dated May 13, 2009 included a copy of an initialed Form PTO-1449 for a wholly different application (Application No. 10/461,481). Further, Applicant requests consideration of the IDS filed on September 16, 2009. Lastly, another IDS is being filed concurrently herewith to cite art from a Japanese Office Action dated October 9, 2009 to issue in Japanese counterpart application no. 2003-398046, and consideration of that IDS is also requested.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Edward Kmett/

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Edward A. Kmett
Attorney for Applicants
Registration No.: 42,746

FITZPATRICK, CELLA, HARPER & SCINTO
1290 Avenue of the Americas
New York, New York 10104-3800
Facsimile: (212) 218-2200

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